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PATENT

The Examiner is requested to consider rejoining Groups VIII, IX, and X for prosecution in the same application, or in the alternative, to consider rejoining Group IX and Group X for prosecution in the same application.

The Examiner is requested to consider rejoining Groups VIII, IX, and X for prosecution in the same application. Group VIII consists of claims 78-80, 84, and 85; Group IX consists of claims 78 and 81; and, Group X consists of claims 78 and 81-83. The result of the restriction is that claim 78 has been restricted into three groups, *i.e.*, Group VIII, IX, and X. Election of Group VIII and prosecution of claim 78 in a first application, election of Group IX and prosecution of claims 78 in a second application, and election of Group X and prosecution of claim 78 in a third application might result in claim 78 issuing in three separate patents for the same invention.

In the alternative, the Examiner is requested to consider rejoining Group IX and Group X. Group IX consists of claims 78 and 81; and, Group X consists of claims 78 and 81-83. The result of the restriction is that claims 78 and 81 have been restricted into two Groups, *i.e.*, Group IX and Group X. Election of Group IX and prosecution of claims 78 and 81 in a first application, and election of Group X and prosecution of claims 78 and 81 in a second application might result in issuing in two separate patents for the same invention.

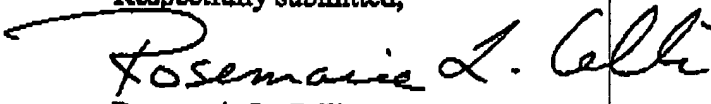
Under 35 U.S.C. § 121, an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and they are either independent or distinct. "IT STILL REMAINS IMPORTANT FROM THE STANDPOINT OF THE PUBLIC INTEREST THAT NO REQUIREMENTS BE MADE WHICH MIGHT RESULT IN THE ISSUANCE OF TWO PATENTS FOR THE SAME INVENTION." (See MPEP § 803.01, emphasis found in the original.) It is respectfully submitted that it is self-evident and incontrovertible that the restriction of claims 23-36 into Groups II and III, the restriction of claim 78 into Groups VIII, IX, and X, and the restriction of claims 78 and 81 into Groups IX, and X are all improper.

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) A β -secretase enzyme protein purified to apparent homogeneity comprising a peptide that is fewer than 460 amino acids in length, and includes an amino acid sequence that is at least 90% identical to SEQ ID NO: 43 [46-501].

5. (Amended) [The purified β -secretase enzyme protein of claim 1, wherein said protein]A β -secretase enzyme protein purified to apparent homogeneity comprising a peptide that is fewer than 450 amino acids in length, and includes an [comprising a polypeptide having the]amino acid sequence that is at least 90% identical to SEQ ID NO: 70 [63-452].

18. (Amended) The purified protein of claim 1, wherein said protein has an N-terminal residue corresponding to a residue selected from the group consisting of residues [22, 46, 58 and 63 with respect to SEQ ID NO: 2 and a C-terminus selected from a residue between positions 452 and 501 with respect to SEQ ID NO: 2.

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